

Official Record Copy
Office of Personnel

OP MEMORANDUM NO. 20-26-8

24 November 1981

OFFICE OF PERSONNEL MEMORANDUM

SUBJECT : Separation for Military Service and Subsequent
Restoration to Agency Employment

REFERENCES: (a) FPM, Chapter 353 and Supplement 990-1
(b) 38 U.S.C. 2024

RESCISSION: OPM 20-26-6 dated 24 January 1980

1. A staff employee or staff agent [redacted] who leaves a permanent position to enter on active military duty with the Armed Forces will be separated by administrative action. However, such action will not become effective until the employee has entered on active military duty. Later, following discharge and upon receipt of the employee's application to return to duty with the Agency, the employee will be considered as having been on military furlough and will be granted all benefits and reemployment rights provided by applicable laws. Contract employees are not, by virtue of their temporary status, eligible for this action.

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2. The operating component to which the staff employee or staff agent is assigned should promptly inform the Personal Affairs Branch (PAB) of the individual's imminent departure for military service so that the necessary processing can be completed before the individual leaves the Agency.

3. PAB, upon receiving notification, will arrange exit processing for employees. During the PAB interview, employees will be advised of their benefits; leave, reemployment, and retirement rights; and their obligation to notify the Agency of the exact date they enter on active military duty, as soon as it occurs. They will also be advised that during their absence they will be considered for every promotion they would have been considered for had they been present. Promotions, which are approved in accordance with this procedure, will be cancelled if the affected employees do not return to Agency service from military duty.

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5. Administrative leave of absence, not exceeding one day, will be granted to employees for purposes of determining physical fitness for prospective entrance or actual induction or enlistment in the military service. Leave in excess of one day will be charged to annual leave. Employees rejected for military service after being granted leave of absence for that purpose will be entitled to return to their positions without reduction in seniority, status, or pay provided application is made within 30 days.

6. Return to Duty After Military Service:

a. Individuals returning to duty with the Agency from military service are responsible for applying for reemployment. They must be restored to the position they left or one comparable in grade and responsibility as soon as possible, and in no event later than 30 days after their applications for restoration are received in the Agency.

b. To be eligible for reemployment, employees:

(1) must have been separated from Agency employment for military service;

(2) must not have served in excess of five years provided that service in excess of four years is at the request and for the convenience of the Federal Government;

(3) must present at the time of their return to Agency employment a certificate of satisfactory completion of service from the military service or training program under which they have served;

(4) must apply for reemployment not more than 90 days after release from the Armed Forces or after hospitalization which has continued after discharge for not more than one year;

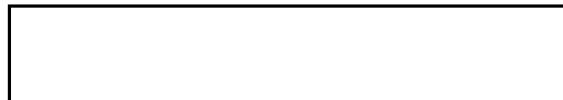
(5) must be qualified to perform the duties of their position.

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c. If an employee has a disability which affects normal job performance and efficiency or is likely to endanger the health of the employee, every effort will be made to place the individual in a position commensurate with his or her qualifications in such a way as to provide like seniority, status, and pay of the nearest approximation thereof consistent with the circumstances in the case.

d. Requests for security clearances, containing the notations, "restoration from military service" and "entrance on duty will be effective on or about (date)," will be initiated by the Staff Personnel Division, Office of Personnel immediately upon receipt of application for restoration. When necessary, an employee entering on duty without full clearance, or, a fully cleared individual whose marital status has changed by virtue of marriage to an alien, should be placed on interim assignment pending receipt of the clearance from the Office of Security.

e. Generally, individuals who have been absent from Agency service for less than one year will not be required to undergo a physical examination at the time of entrance on duty unless the Office of Medical Services indicates otherwise. In cases involving an absence of one year or more, however, arrangements will be made with the Office of Medical Services to reexamine employees for placement qualifications purposes.



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Director of Personnel

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